

In re application of: Eric Walker  
Application No.: 10/729,162 Examiner: David Faber  
Filed: December 5, 2003 Art Unit: 2178

Confirmation No. 8570  
Docket No.: 03-026  
Customer No.: 37420

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## **RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF**

In response to the Notification of Non-Compliant Appeal Brief mailed February 13, 2008, applicant hereby submits replacement pages for The Summary of Claimed Subject Matter to include page and line numbers as requested.

Favorable action is hereby requested.

Respectfully submitted,

Date: March 12, 2008

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## V. Summary of the Claimed Subject Matter

The pending claims relate to systems and methods for automatically preparing and presenting a second customized product to a user while the user is in the process of ordering a first product.

### Independent Claim 1

Claim 1 recites a computer-implemented method for generating a color image (300 in Figs. 5 and 6), the method comprising associating at least one color with a markup language element (302 in Figs. 5 and 6) capable of accepting image content, applying a grayscale image as content of the element (page 10, lines 5-11 [0034], page 10, lines 12-20 [0035]), and applying the at least one color associated with the element as at least one component color of the content image (page 10, line 5 [0034], page 10, line 12 [0035]).

### Dependent Claim 2

Claim 2 recites displaying at least the content image to a user (302 in Fig. 5), providing a plurality of color groups (500 in Fig. 5, page 11, line 12 [0037]), allowing the user to select a group from the plurality of groups (page 11, lines 21-29, page 12, lines 1-6 [0038]), after the selection of a group by the user, modifying the content image by replacing at least one of the color components of the content image with at least one of the colors in the selected group (page 11, lines 21-29, page 12, lines 1-6 [0038]), and displaying at least the modified content image to the user (page 11, lines 21-29, page 12, lines 1-6 [0038]).

### Dependent Claim 3

Claim 3 recites displaying at least the content image to a user (302 in Fig. 6, page 12, line 7 [0039]), providing a color palette containing a plurality of individually selectable colors (600 in Fig. 6, page 12, lines 14-23 [0040]), allowing the user to select a color from the palette (page 12, lines 14-23 [0040]), after the selection of a color by the user, modifying the content image by replacing one of the color

components of the content image with the selected color (page 12, lines 24- 28, and page 13, lines 1-8 [0041]), and displaying at least the modified content image to the user (page 12, lines 24-28 and page 13, lines 1-8 [0041]).

**Dependent Claim 4**

Claim 4 recites the element is a shape and the grayscale image is applied as pattern fill content of the shape (page 11, lines 17-20 [0037] and page 12, lines 14-23 [0040]).

**Dependent Claim 5**

Claim 5 recites incorporating the content image into an electronic product design (300 in Figs. 4 and 5, page 11, lines 21-29 and page 12, lines 1-6 [0038], page 12, lines 24-28 and page 13, lines 1-8 [0041]), and displaying the electronic product design to a user (page 11, lines 21-29 and page 12, lines 1-6 [0038], page 12, lines 24-28 and page 13, lines 1-8 [0041]).

**Independent Claim 6**

Claim 6 recites a color image system comprising at least one server (110 in Fig. 1), a color image software system encoded on one or more computer readable media (106 in Fig. 1), the system having one or more markup language elements (302) having at least one associated color attribute and having grayscale content image (page 10, lines 5-11[0034], page 10, lines 12-20 [0035]), computer code (106 in Fig. 1) for applying the at least one color attribute of the element as at least one color component of the content image (page 10, lines 5-11[0034], page 10, lines 12-20 [0035]) and computer code (106 in Fig. 1) for supplying at least the element to a user computer for displaying to a user.

**Dependent Claim 8**

Claim 8 recites the element is a markup language shape and the grayscale image is applied as a pattern fill of the shape (page 11, lines 16-17 [0037] and page 12, lines 14-15 [0040]).

Independent Claim 10

Claim 10 recites a color image generation program (106 in Fig. 1) encoded on one or more computer readable media and adapted to execute in a browser program (105 in Fig. 1) running on a user computer (100 in Fig. 1), the program comprising computer code (106 in Fig. 1) adapted to display a markup language element at the user computer, the element having a grayscale image applied as content and having at least one associated color attribute used as at least one color component of the grayscale image (page 10, lines 7-8 [0034], page 10, lines 12-20 [0035]), computer code (106 in Fig. 1) adapted to display at least one color selection tool to the user of the user computer (page 10, lines 5-11[0034], page 10, lines 12-20 [0035]), and computer code (106 in Fig. 1), responsive to the selection of one or more colors by the user, adapted to modify the content image by applying the one or more selected colors as one or more color attributes of the element (page 10, lines 5-11 [0034], page 10, lines 12-20 [0035]).

Independent Claim 16

Claim 16 recites a computer-implemented method of displaying an electronic product design (300 in Figs. 5 and 6) at a computer (100 in Fig. 1) executing a browser program (105 in Fig. 1), the method comprising receiving electronic product design information, the information including at least one markup language element (302 in Figs. 5 and 6) having at least one associated color attribute and having grayscale image content (page 10, lines 5-11 [0034], page 10, lines 12-20 [0035]), and identifiers of a plurality of colors (326 in Fig. 5 and 600 in Fig. 6), and processing the received information in the browser program to display an electronic product design to a user, the electronic design including at least the at least one element, the image content of the at least one element being generated by applying at least one color from the plurality of colors as at least one color attribute of the at least one element and using the at least one color attribute of the at least one element as at least one component color of the grayscale image content of the element (page 10, lines 5-11 [0034], page 10, lines 12-20 [0035]).

Dependent Claim 19

Claim 19 recites allowing the user to place an order for the production of one or more products from the electronic product design (310 in Fig. 3, page 13, lines 10-14 [0042]).

Dependent Claim 21

Claim 21 recites allowing the user to place an order for the production of one or more products from the electronic product design (310 in Fig. 3, page 13, lines 10-14 [0042]).